

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:09-cr-00125
)	JUDGE HAYNES
LOUIS J. LEVINE)	
)	

GOVERNMENT’S MOTION TO CONTINUE SENTENCING HEARING

The United States of America, by its attorney Edward M. Yarbrough, United States Attorney for the Middle District of Tennessee, and S. Carran Daughtrey, Assistant United States Attorney, hereby requests that the suppression hearing in this case be continued, based on a voluminous filing made by defendant this afternoon. Specifically, defendant has filed nine transcripts of the interviews of various witnesses in this case, totaling approximately 200 pages. Defendant did not provide any prior notice to the government of his intention to transcribe interviews or to provide them to the Court to be considered in connection with the suppression motion. Nor did the defendant provide these transcripts to the government in advance to review for accuracy. Since the government received no notice that this late filing would be made, the undersigned attorney has not set aside sufficient time to review and confirm the accuracy of these transcripts in the three business days prior to this hearing. It likely will take the government several weeks to review these transcripts. Additionally, when the government asked for an electronic copy of the filing this afternoon, an employee of defendant’s attorney denied the request, stating that “It has nine attachments and it contains sensitive juvenile information.” Thus, should the government find any inaccuracies or disagreements, it will be more difficult and time consuming to submit such to this Court.

For all of these reasons, the government respectfully requests a continuance in this case to allow the government to thoroughly review these documents along with the taped interviews.

Respectfully submitted,

EDWARD M. YARBROUGH
United States Attorney for the
Middle District of Tennessee

s/ S. Carran Daughtrey
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Certificate of Service

I hereby certify that a true copy of the foregoing has been provided by electronic filing to Peter Strianse, on this the 11th day of May, 2010.

s/ S. Carran Daughtrey
S. Carran Daughtrey